

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. William Shon Juel

Docket No. 7:19-CR-105-1D

Petition for Action on Probation

COMES NOW Matthew A. Fmura, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of William Shon Juel, who, upon an earlier plea of guilty to Destruction or Removal of Property to Prevent Seizure and Aiding and Abetting, in violation of 18 U.S.C. § 2232(a), and 18 U.S.C. § 2, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on December 17, 2019, to 5 years probation under the conditions adopted by the court.

On July 6, 2020, a motion hearing was held before the Honorable James C. Dever III, U.S. District Judge, and the defendant's term of probation was modified to include 30 days of weekend confinement in the New Hanover County Jail in Castle Hayne, North Carolina, beginning July 11, 2020, through December 19, 2020; 11 months of home incarceration to be served on 2-day weekends, commencing on January 2, 2021, with the use of BI SmartLINK technology; the home incarceration period shall be monitored with location monitoring technology as directed by U.S. Probation Officer; and the defendant shall contribute to the cost of the location monitoring technology not to exceed the amount determined reasonable by the court approved "U.S. Probation Office's Sliding Scale for Services."

On October 30, 2020, a Petition for Action was submitted advising the court that the defendant was charged with catching More Than the Legal Limit of Golden Tilefish, in violation of N.C.G.S. 113-135(a), in Brunswick County, North Carolina (20CR898). Juel pled guilty to Exceeding Trip Limit of Golden Tilefish, and received a Prayer for Judgment on April 7, 2021. Additionally, the court modified the defendant's timeframe to complete weekend confinement at the New Hanover County Jail due to COVID-19 protocols at the facility. Juel was ordered to complete 30 days of confinement beginning January 2, 2021, through July 30, 2021, and then submit to weekend Home Incarceration with SmartLINK technology beginning August 7, 2021, for a period of 11 months.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant is currently being supervised in the District of South Carolina, and maintains employment as a commercial fisherman. Juel has not completed the court ordered special condition of weekend confinement, as the New Hanover County Jail had restricted weekend confinement due to the COVID-19 pandemic. On August 1, 2021, the restrictions were lifted. On August 26, 2021, the defendant submitted medical documentation to the probation office indicating he was diagnosed with cellulitis of the chest wall which had become infected. Juel has been referred to Novant Health Brunswick Medical Center in Bolivia, North Carolina, for treatment and surgery which has not been scheduled at this time. Consequently, it is respectfully recommended that the dates of completion of weekend jail time, and subsequent home incarceration, be modified as indicated below.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons, specifically, the New Hanover County Jail, for two-day weekend confinement (Saturday and Sunday), for a period of 30 days and shall abide by the rules and regulations of the designated facility. The defendant shall report to the designated facility beginning at 8:00 AM on Saturday through 6:00 PM on Sunday.

2. The defendant shall abide by all conditions and terms of the home incarceration program for a period of 11 months. The period of home incarceration shall be served during the 2-day weekend (Saturday and Sunday). The defendant shall submit to BI SmartLINK technology during the period of home incarceration. BI SmartLINK is a client-focused mobile application (app) that uses a biometric identity feature and the mobile device's GPS to monitor caseloads. It can be used with or without location monitoring equipment. Each client downloads the app to his or her Android or Apple smartphone or tablet.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Matthew A. Fmura
Matthew A. Fmura
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2345
Executed On: December 2, 2021

ORDER OF THE COURT

Considered and ordered this 6 day of December, 2021, and ordered filed and made a part of the records in the above case.

A. Dever
James C. Dever III
U.S. District Judge